APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/500,439	02/09/2000	Joann Ruvolo	AM9-99-0133	2623

26381   7590   05/22/2002

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EXAMINER
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ART UNIT	PAPER NUMBER
3625	

DATE MAILED: 05/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/500,439	RUVOLO ET AL.
	Examiner	Art Unit
	Matthew s Gart	3625

-- Th MAILING DATE of this communication appears on th cov r she t with th correspond nc address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-37* is/are pending in the application.

    4a) Of the above claim(s) *1-37* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *09 February 2000* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ .is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5) ☐ Notice of Informal Patent Application (PTO-152)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .   6) ☐ Other: .

DETAILED ACTION

Drawings

This application has been filed with informal drawings, which are acceptable for

examination purposes only. Formal drawings will be required when the application is

allowed.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-4, 8-17, 20-28, and 32-37 are rejected under 35 U.S.C. 103(a) as

being anticipated by Cameron et al. U.S. Patent No. 5,737,726

Referring to claim 1. Cameron et al. discloses a computer-based method

equivalent to a computer-based method of dynamically presenting potential contacts to

a user comprising the following steps (at least Abstract):

- Retaining user preferences (at least Abstract);

- Retaining a list of possible contacts (at least Abstract and column 2, lines 46-61);

- Said list comprising at least identifying information of said contacts (at least Fig. 4);

- Searching said list of possible contacts to select a potential contact based on said user preferences, retaining potential contacts selected during said search,

and displaying to the user an available image or other identifying information of a potential contact (at least column 3, line 60 to column 4, line 24).

Cameron et al. does not expressly disclose identifying <u>images</u> of said contacts. It would have been obvious matter of design choice to modify Cameron et al. by having identifying <u>images</u> of said contacts, since applicant has not disclosed that having identifying <u>images</u> of said contacts is for any particular purpose and it appears that the list of possible contacts would perform equally well without having identifying <u>images</u>.

<u>Referring to claim 2</u>. Cameron et al. further discloses user preferences wherein said user preferences comprise either preferences input by the user (at least column 3, lines 33-51) or preselected default preferences (at least column 11, line 60 to column 12, line 5).

<u>Referring to claim 3</u>. Cameron et al. further discloses user preferences wherein said user preferences comprise any of:

- Professional or personal contact (at least Abstract),
- Automatic or manual preference on initiating the searching step (at least column 2, lines 46-61)
- Time-based references, select algorithms, and maximum number of candidates to select (at least column 16, line 59 to column 17, line 14).

<u>Referring to claim 4</u>. Cameron et al. further discloses a list of contacts comprising any of:

- Name, organization, work address, home address, telephone numbers, pager numbers, cellular numbers, e-mail address, personal or professional identifiers,

special dates, and contact dates (at least column 2, line 62 to column 3, line 20 and column 8, lines 19-49).

Referring to claim 8. Cameron et al. further discloses a computer-based method wherein selection of a potential contact in said search step is either random or based on a select algorithm (at least Fig. 6).

Referring to claim 9. Cameron et al. discloses a computer-based method according to claim 1 as indicated supra. Cameron et al. does not expressly disclose a computer-based method wherein said search step is repeated until a maximum number of candidates for selection has been achieved. Examiner takes official notice that a search step that is repeated until a maximum number of search results are achieved was art recognized at the time of the invention. It would have been obvious for a maximum number of search results to be achieved during a search step in order to provide the user with an efficient and accurate searching means. Accordingly, it would have been obvious to one of ordinary skill in the art to modify the system of Cameron et al. to include a search step that is repeated until a maximum number of search results are achieved.

Referring to claim 10. Cameron et al. further discloses a computer-based method wherein displaying step further comprises insertion of said contact image or identifying information into a GUI (at least column 6, lines 14-24).

Referring to claim 11. Cameron et al. further discloses a computer-based method wherein a GUI comprises an electronic organizer (at least Fig. 8).

Referring to claim 12. Cameron et al. further discloses a method wherein said method may be implemented locally or remotely on one or more computer based systems, across networks or existing communication mediums (at least column 5 line 57 to column 6, line 4).

Referring to claim 13. Cameron et al. further discloses a method wherein said method wherein said across networks element comprises any of LANs, WANs, cellular, Internet or Web-based networks (at least column 5 line 57 to column 6, line 4).

Referring to claim 14. Cameron et al. discloses a computer-based system for dynamically selecting possible contacts (at least Abstract), said system comprising:

- User preferences stored in computer storage (at least column 5, lines 43-56);

- A contact list stored in computer storage, said contact list comprising at least identifying information and available images of said contacts (at least column 5, lines 43-56);

- A manual request unit (at least column 3, line 60 to column 4, line 24);

- A time-based request unit (at least column 16, line 59 to column 17, line 14);

- A display module (at least column 6, lines 14-24);

- A search module, said search module determining the candidates to be selected (at least Fig. 13);

- A request processor, said processor detecting an invocation output from said manual request unit or said time-based request unit and initiating said search module to select one or more possible contacts, and wherein said selected candidates are stored in computer storage and processed to display, by said

display module, said selected contact image or information to the user (at least

Fig. 17A and Fig. 17B).

Cameron et al. does not expressly disclose identifying images of said contacts. It

would have been obvious matter of design choice to modify Cameron et al. by having

identifying images of said contacts, since applicant has not disclosed that having

identifying images of said contacts is for any particular purpose and it appears that the

list of possible contacts would perform equally well without having identifying images.

Referring to claim 15. Cameron et al. further discloses user preferences wherein

said user preferences comprise either preferences input by the user (at least column 3,

lines 33-51) or preselected default preferences (at least column 11, line 60 to column

12, line 5).

Referring to claim 16. Cameron et al. further discloses user preferences wherein

said user preferences comprise any of:

- Professional or personal contact (at least Abstract);

- Automatic or manual preference on initiating the searching step (at least column

  2, lines 46-61);

- Time-based references, select algorithms, and maximum number of candidates

  to select (at least column 16, line 59 to column 17, line 14).

Referring to claim 17. Cameron et al. further discloses a list of contacts

comprising any of:

- Name, organization, work address, home address, telephone numbers, pager

  numbers, cellular numbers, e-mail address, personal or professional identifiers,

special dates, and contact dates (at least column 2, line 62 to column 3, line 20 and column 8, lines 19-49).

Referring to claim 20. Cameron et al. further discloses a computer-based system for dynamically selecting possible contacts, wherein selection of a possible contact is either random or based on a select algorithm (at least Fig. 6).

Referring to claim 21. Cameron et al. discloses a computer-based system according to claim 14 indicated supra. Cameron et al. does not expressly disclose a computer-based system wherein one or more contacts are obtained by repeated execution of said search until a maximum number o f candidates for selection has been achieved. Examiner takes official notice that a search step that is repeated until a maximum number of search results are achieved was art recognized at the time of the invention. It would have been obvious for a maximum number of search results to be achieved during a search step in order to provide the user with an efficient and accurate searching means. Accordingly, it would have been obvious to one of ordinary skill in the art to modify the system of Cameron et al. to include a search step that is repeated until a maximum number of search results are achieved.

Referring to claim 22. Cameron et al. further discloses a computer-based method wherein displaying step further comprises insertion of said contact image or identifying information into a GUI (at least column 6, lines 14-24).

Referring to claim 23. Cameron et al. further discloses a computer-based method wherein a GUI comprises an electronic organizer (at least Fig. 8).

Referring to claim 24. Cameron et al. further discloses a computer-based system wherein said system may be implemented locally or remotely on one or more computer based systems, across networks or existing communication mediums (at least column 5 line 57 to column 6, line 4).

Referring to claim 25. Cameron et al. further discloses a computer-based system wherein said system wherein said across networks element comprises any of LANs, WANs, cellular, Internet or Web-based networks (at least column 5 line 57 to column 6, line 4).

Referring to claim 26. Cameron et al. further discloses an article of manufacture comprising a computer media product implementing a process for selecting and presenting to a user possible candidates for contact comprising computer programmable code implementing (at least Abstract and column 3, line 53 to column 4, line 24):

- Retaining default or user selected preferences (at least Abstract);

- Retrieving a list of possible contacts (at least Abstract and column 2, lines 46-61);

- Said list comprising at least identifying information of said contacts (at least Fig. 4);

- Selecting a number of possible candidates to be presented (at least column 2, lines 45-62);

- Identifying a specific method of possible candidate selection (at least column 3, lines 33-51);

- Manually or automatically initiating a search for one or more possible candidates based on said user preferences, available candidates and method of selection, and wherein said one or more candidates are presented to the user as a suggestion for contact (at least column 3, line 60 to column 4, line 24).

Cameron et al. does not expressly disclose presenting and storing an image to present visually to the user as a suggestion for contact. It would have been obvious matter of design choice to modify Cameron et al. by presenting and storing an image to present visually to the user as a suggestion for contact, since applicant has not disclosed that presenting and storing an image to present visually to the user as a suggestion for contact is for any particular purpose and it appears that a suggestion for contact would perform equally well without having identifying images.

Referring to claim 27. Cameron et al. further discloses an article of manufacture comprising a computer media product implementing a process for selecting and presenting to a user possible candidates for contact (at least Abstract and column 3, line 53 to column 4, line 24), wherein said user preferences comprise any of:

- Professional or personal contact (at least Abstract),
- Automatic or manual preference on initiating the searching step, time-based references, select algorithms, and maximum number of candidates to select (at least column 16, line 59 to column 17, line 14).

Referring to claim 28. Cameron et al. further discloses an article of manufacture comprising a computer media product implementing a process for selecting and presenting to a user possible candidates for contact comprising:

- Name, organization, work address, home address, telephone numbers, pager

    numbers, cellular numbers, e-mail address, personal or professional identifiers,

    special dates, and contact dates (at least column 2, line 62 to column 3, line 20

    and column 8, lines 19-49).

Referring to claim 32. Cameron et al. further discloses an article of manufacture

comprising a computer media product implementing a process for selecting and   `

presenting to a user possible candidates for contact, wherein said selection of a

possible contact in said search step is either random or based on a select algorithm (at

least Fig. 6).

Referring to claim 33. Cameron et al. discloses an article of manufacture

according to claim 26 as indicated supra. Cameron et al. does not expressly disclose

an article of manufacture comprising a computer media product implementing a process

for selecting and presenting to a user possible candidates for contact, wherein said

search step is repeated until a maximum number of candidates for selection has been

achieved. Examiner takes official notice that a search step that is repeated until a

maximum number of search results are achieved was art recognized at the time of the

invention. It would have been obvious for a maximum number of search results to be

achieved during a search step in order to provide the user with an efficient and accurate

searching means. Accordingly, it would have been obvious to one of ordinary skill in the

art to modify the system of Cameron et al. to include a search step that is repeated until

a maximum number of search results are achieved.

Referring to claim 34. Cameron et al. further discloses an article of manufacture wherein presenting visually to the user step further comprises insertion of said contact image or identifying information into a GUI (at least column 6, lines 14-24).

Referring to claim 35. Cameron et al. further discloses an article of manufacture wherein a GUI comprises an electronic organizer (at least Fig. 8).

Referring to claim 36. Cameron et al. further discloses an article of manufacture wherein a process may be implemented locally or remotely on one or more computer-based systems, across networks or existing communication mediums (at least column 5 line 57 to column 6, line 4).

Referring to claim 37. Cameron et al. further discloses an article of manufacture wherein said across networks element comprises any of LANs, WANs, cellular, Internet or Web based networks (at least column 5 line 57 to column 6, line 4).

Claims 5-7, 18-19, and 29-31 are rejected under 35 U.S.C. 103(a) as being anticipated by Cameron et al. U.S. Patent No. 5,737,726, in view of Kennedy et al. U.S. Patent No. 5,831,611.

Referring to claim 5. Cameron et al. discloses a computer-based method according to claim 1 as indicated supra. Cameron et al. does not expressly disclose a searching step wherein said searching step is initiated either manually by the user or automatically by a time-based reference in the user preferences. Kennedy et al. discloses a searching step wherein said searching step is initiated either manually by the user or automatically by a time-based reference in the user preferences (at least claim 2, lines 46-58). Although this form is not found in Cameron et al., it would have

been an obvious design choice to one of ordinary skill in the art at the time the invention

was made to modify the system of Cameron et al. to include the limitations of Kennedy

et al. as discussed above in order to facilitate communication between individuals via

time-based preference information.

Referring to claim 6. Cameron et al. discloses a computer-based method

according to claim 3 as indicated supra. Cameron et al. does not expressly disclose a

computer-based method wherein a time-based reference comprises any of: frequency

of contact, time between contacts or calendar-based contact. Kennedy et al. discloses

a computer-based method wherein a time-based reference comprises any of: frequency

of contact, time between contacts or calendar-based contact (at least column 2, lines

13-58). Although this form is not found in Cameron et al., it would have been an obvious

design choice to one of ordinary skill in the art at the time the invention was made to

modify the system of Cameron et al. to include the limitations of Kennedy et al. as

discussed above in order to facilitate communication between individuals via time-based

preference information.

Referring to claim 7. Cameron et al. discloses a computer-based method

according to claim 5 as indicated supra. Cameron et al. does not expressly disclose a

computer-based method wherein said automatic initiation of said searching step

comprises comparing applicable time-based references stored in said user preferences

with a timer module, and upon a positive comparison, initiating said search step.

Kennedy et al. discloses a computer-based method wherein said automatic initiation of

said searching step comprises comparing applicable time-based references stored in

said user preferences with a timer module, and upon a positive comparison, initiating

said search step (at least column 1, lines 38-59). Although this form is not found in

Cameron et al., it would have been an obvious design choice to one of ordinary skill in

the art at the time the invention was made to modify the system of Cameron et al. to

include the limitations of Kennedy et al. as discussed above in order to facilitate

communication between individuals via time-based preference information.

Referring to claim 18. Cameron et al. discloses a computer-based method

according to claim 14 as indicated supra. Cameron et al. does not expressly disclose a

computer-based method wherein a time-based reference comprises any of: frequency

of contact, time between contacts or calendar-based contact. Kennedy et al. discloses

a computer-based method wherein a time-based reference comprises any of: frequency

of contact, time between contacts or calendar-based contact (at least column 2, lines

13-58). Although this form is not found in Cameron et al., it would have been an

obvious design choice to one of ordinary skill in the art at the time the invention was

made to modify the system of Cameron et al. to include the limitations of Kennedy et al.

as discussed above in order to facilitate communication between individuals via time-

based preference information.

Referring to claim 19. Cameron et al. discloses a computer-based system for

dynamically selecting possible contacts according to claim 16 as indicated supra.

Cameron et al. does not expressly disclose a search module comprising, comparing

applicable time-based references stored in said user preferences with said timer

module, and upon a positive comparison, initiating said search. Kennedy et al.

discloses a search module comprising, comparing applicable time-based references

stored in said user preferences with said timer module, and upon a positive comparison,

initiating said search (at least column 1, lines 38-59). Although this form is not found in

Cameron et al., it would have been an obvious design choice to one of ordinary skill in

the art at the time the invention was made to modify the system of Cameron et al. to

include the limitations of Kennedy et al. as discussed above in order to facilitate

communication between individuals via time-based preference information.

Referring to claim 29. Cameron et al. discloses an article of manufacture

comprising a computer media product according to claim 26 as indicated supra.

Cameron et al. does not expressly disclose an article of manufacture automatically

initiating a search based on a time-based reference in the user preferences. Kennedy

et al. discloses an article of manufacture automatically initiating a search based on a

time-based reference in the user preferences (at least column 2, lines 13-58). Although

this form is not found in Cameron et al., it would have been an obvious design choice to

one of ordinary skill in the art at the time the invention was made to modify the system

of Cameron et al. to include the limitations of Kennedy et al. as discussed above in

order to facilitate communication between individuals via time-based preference

information.

Referring to claim 30. Cameron et al. discloses an article of manufacture

comprising a computer media product according to claim 29 as indicated supra.

Cameron et al. does not expressly disclose an article of manufacture comprising a

computer media product implementing a process for selecting and presenting to a user

possible candidates for contact, wherein said time-based reference comprises any of:
frequency of contact, time between contacts or calendar based contact. Kennedy et al.
discloses an article of manufacture comprising a computer media product implementing
a process for selecting and presenting to a user possible candidates for contact,
wherein said time-based reference comprises any of: frequency of contact, time
between contacts or calendar based contact (at least column 2, lines 13-58). Although
this form is not found in Cameron et al., it would have been an obvious design choice to
one of ordinary skill in the art at the time the invention was made to modify the system
of Cameron et al. to include the limitations of Kennedy et al. as discussed above in
order to facilitate communication between individuals via time-based preference
information.

Referring to claim 31. Cameron et al. discloses an article of manufacture
comprising a computer media product implementing a process for selecting and
presenting to a user possible candidates for contact according to claim 31 as indicated
supra. Cameron et al. does not expressly disclose a search comprising, comparing
applicable time-based references stored in said user preferences with a timer function,
and upon a positive comparison, initiating said search. Kennedy et al. discloses a
search comprising, comparing applicable time-based references stored in said user
preferences with a timer function, and upon a positive comparison, initiating said search
(at least column 1, lines 38-59). Although this form is not found in Cameron et al., it
would have been an obvious design choice to one of ordinary skill in the art at the time
the invention was made to modify the system of Cameron et al. to include the limitations

of Kennedy et al. as discussed above in order to facilitate communication between individuals via time-based contact preference information.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Adler et al. U.S. Patent No. 6,342,901, Jan. 29, 2002; discloses an interactive device for displaying information from multiple sources.

Bates et al. U.S. Patent No. 6,247,043, Jun. 12, 2001; discloses an apparatus, program products and methods utilizing intelligent contact management.

Cameron et al. U.S. Patent No. 6,202,062, Mar. 31, 2001; discloses a system, method and article of manufacture for creating a filtered information summary based on multiple profiles of each single user.

Raffel et al. U.S. Patent No. 6,169,534, Jan. 2, 2001; discloses a graphical user interface for customer information management

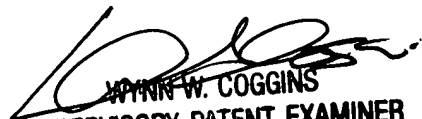Robertson U.S. Patent No. 6,269,369, Jul. 31, 2002; discloses a networked personal contact manager.

Stevens U.S. Patent No. 6,327,570, Dec. 4, 2001; discloses a personal business service system and method.

Any inquiry concerning this communication should be directed to Matthew Gart whose telephone number is 703-305-5355. This examiner can normally be reached Monday-Friday, 8:30AM-5:30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Wynn Coggins can be reached on 703-308-1344. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

WYNN W. COGGINS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

MSG

May 16, 2002